

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America
v.
Bernardo MARTINEZ-Rangel

Case No.

A-12-M-501

2012 JUL 26 AM 11:39

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY

DEPUTY

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 25, 2012 in the county of Williamson in the
Western District of Texas, the defendant(s) violated:

Code Section

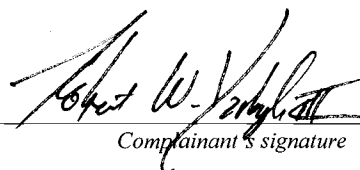
Title 8 USC 1324(a)(1)(A)(ii)

Offense Description

Knowingly, conspire and agree with each other, and in reckless disregard of the fact that aliens have come to, entered, and remain in the United States in violation of federal law, transports, or moves, or attempts to transport or move such aliens within the United States by means of transportation.

This criminal complaint is based on these facts:

See Attachment

☒ Continued on the attached sheet.


Complainant's signature

HSI SA Robert W. Yarbrough III

Printed name and title

Sworn to before me and signed in my presence.

Date:

7/26/2012
07/25/2012



Judge's signature

City and state:

Austin, Texas

United States Magistrate Andrew W. Austin

Printed name and title

Attachment

On July 25, 2012, Georgetown Police Department Officer A. Swanky observed a blue Ford Truck Suburban with Texas license plate AX47291 traveling northbound on Interstate Highway 35 in Georgetown, Texas. Officer A. Swanky noticed the trucks windshield had large cracks it in which is a state transportation code violation in Texas. Officer A. Swanky conducted a traffic stop on the vehicle and made contact with the driver Bernardo MARTINEZ-Rangel. Officer A. Swanky noticed as he walked up to the vehicle that there were four male subjects in the back seat area of the four door crew cab truck. The four subjects were sitting on the floorboard of the pickup because there was no back seat. Your affiant knows that alien smugglers commonly remove the back seat of larger trucks so that they may transport many more people than the vehicle is designed to transport and to conceal individuals from view of law enforcement. Officer A. Swanky attempted to communicate with the driver but the driver did not speak English. Due to Officer A. Swanky's law enforcement experience he suspected the people inside the truck were illegal aliens. Officer A. Swanky called for backup and secured all six individuals in the truck.

The Georgetown Police Department contacted Homeland Security Investigation (HSI) Special Agent R. Yarbrough and advised him they had stopped a vehicle possibly transporting/containing six alleged undocumented aliens. SA R. Yarbrough responded to the scene along with additional HSI Agents and confirmed that all six individuals were illegally in the United States. The six individuals were arrested and transported back to the HSI office for processing. After arriving at the HSI office, Bernardo MARTINEZ-Rangel (the driver) was read his constitutional rights as per Miranda by SA H. Diaz and witness by your affiant. MARTINEZ-Rangel waived his rights by signing the waiver of rights and made the following statement to HSI SA H. Diaz.

MARTINEZ-Rangel stated that on July 23, 2012, an individual known to him as "El Campeon" contacted him on his cell phone (210) 859-7653. "El Campeon" called MARTINEZ from a private number. MARTINEZ-Rangel stated "El Campeon" had made arrangements with his family members in Ocampo, Guanajuato, Mexico, to smuggle MARTINEZ-Rangel's fifteen year old brother and other illegal aliens from Mexico to the United States for \$2000 each. "El Campeon" was planning to have the group of illegal aliens smuggled to the border near Laredo, Texas and then on to Dallas, Texas. MARTINEZ-Rangel stated the illegal aliens were to be transported across the border near Laredo, Texas, and to a hotel in San Antonio, Texas. "El Campeon" told MARTINEZ-Rangel the illegal aliens would be at a hotel near a mall by Interstate 35 in San Antonio, Texas. On July 24, 2012, "El Campeon" called MARTINEZ-Rangel again and provided more information about the illegal aliens in San Antonio, Texas. "El Campeon" told me that I was going to be paid \$100 for the transportation of the illegal aliens and an additional \$200 for expenses. I agreed to such a low price for the transportation of the illegal aliens because my brother was in the load. MARTINEZ-Rangel stated lastly that the truck he was driving to pick up the illegal aliens belonged to "El Campeon".